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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,927	04/19/2001	Seth Harman	79113-277233	2178
<div>7590 04/13/2007 PILLSBURY WINTHROP LLP Suite 2800 725 South Figueroa Los Angeles, CA 90017-5406</div>			<div>EXAMINER VAN BRAMER, JOHN W</div> <div>ART UNIT 3622 PAPER NUMBER</div>	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/13/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 15, 2006 has been entered.

### ***Response to Amendment***

2. The amendment file December 15, 2006 has cancelled no claims. No Claims were amended and no new claims were added. Thus the currently pending claims in the application are Claims 1-48.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 1-17, 19-24, 26-29, 32-34, 37-39, and 43-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Spiegel et al. (U.S. Patent Number: 6,629,079).

Claim 1: Spiegel discloses a system for providing a dynamic shopping cart window within a windows-based content manifestation environment provided within a Web browser, comprising:

- a. A server system configured to transmit a software system and data related to a shopping list from a shopping list content source via an electronic data network.  
(Col 6, line 59 through Col 7, line 31)
- b. A Web browser client operating within a data processing system that is coupled to said server system via the electronic data network and having a content manifestation environment, said Web browser client operative to receive said software system and said data via said server system, to process said software system and said data to produce a moveable shopping cart window object within said content manifestation environment of said Web browser client, said moveable shopping cart window object configured to dynamically manifest therein the shopping list received from the shopping list content source in accordance with said data. (Col 6, line 59 through Col 7, line 31)

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Claim 2: Spiegel discloses the system according to claim 1, wherein said software system includes instructions related to the size and placement of said shopping cart window object within said content manifestation environment. (Col 1, lines 54-67)

Claim 3: Spiegel discloses the system according to claim 1, wherein said electronic data network is an Internet. (Col 1, lines 11-31 and Col 4, lines 3-28)

Claim 4: Spiegel discloses the system according to claim 1, wherein the shopping list includes at least one of an item and a price. (Col 4, line 58 through Col 5, line 6)

Claim 5: Spiegel discloses the system according to claim 1, wherein the moveable shopping cart window object is updated according to changes in the shopping list. (Col 16, lines 17-42)

Claim 6: Spiegel discloses the system according to claim 1, wherein the moveable shopping cart window object includes at least one of a reset button, a checkout button, and a delete button. (Col 6, lines 17-42)

Claim 7: Spiegel discloses a method for providing a dynamic shopping cart window within a windows-based content manifestation environment provided within a Web browser, comprising:

- a. From a server system, transmitting a software system and data related to a shopping list from a shopping list content source via an electronic data network.  
(Col 6, line 59 through Col 7, line 31)
- b. At a Web browser client operating within a data processing system that is coupled to said server system via the electronic data network, receiving said software system; processing said software system and said data to produce a moveable shopping cart window object within a content manifestation environment provided by said Web browser. (Col 6, line 59 through Col 7, line 31)
- c. Dynamically manifesting said shopping list within said moveable shopping cart window object in accordance with said data. (Col 6, line 59 through Col 7, line 31)

Claim 8: Spiegel discloses the method according to claim 7, wherein said software system includes instructions related to the size and placement of said shopping cart window object within said content manifestation environment. (Col 1, lines 54-67)

Claim 9: Spiegel discloses the method according to claim 7, wherein said electronic data network is an Internet. (Col 1, lines 11-31 and Col 4, lines 3-28)

Claim 10: Spiegel discloses the method according to claim 7, wherein the shopping list includes at least one of an item and a price. (Col 4, line 58 through Col 5, line 6)

Claim 11: Spiegel discloses the method according to claim 7, further including updating the moveable shopping cart window object according to changes in the shopping list. (Col 16, lines 17-42)

Claim 12: Spiegel discloses the method according to claim 7, wherein the moveable shopping cart window object includes at least one of a reset button, a checkout button, and a delete button. (Col 6, lines 17-42)

Claim 13: Spiegel discloses a system for providing a dynamic shopping cart window within a windows-based content manifestation environment provided within a Web browser, comprising:

- a. A server system configured to transmit a software system and data related to a shopping list from a shopping list content source via an electronic data network.  
(Col 6, line 59 through Col 7, line 31)
- b. A Web browser client operating within a data processing system that is coupled to said server system via the electronic data network and having a content manifestation environment, said Web browser client operative to receive said software system and said data via said server system, to process said software system and said data to produce a controllable shopping cart window object within said content manifestation environment of said Web browser client, said controllable shopping cart window object configured to dynamically manifest

therein the shopping list received from the shopping list content source in accordance with said data. (Col 6, line 59 through Col 7, line 31)

Claim 14: Spiegel discloses the system according to claim 13, wherein said software system includes instructions related to the size and placement of said shopping cart window object within said content manifestation environment. (Col 1, lines 54-67)

Claim 15: Spiegel discloses the system according to claim 13, wherein said electronic data network is an Internet. (Col 1, lines 11-31 and Col 4, lines 3-28)

Claim 16: Spiegel discloses the system according to claim 13, wherein the shopping list includes at least one of an item and a price. (Col 4, line 58 through Col 5, line 6)

Claim 17: Spiegel discloses the system according to claim 13, wherein the controllable shopping cart window object is updated according to changes in the shopping list. (Col 16, lines 17-42)

Claim 19: Spiegel discloses the system according to claim 13, wherein the controllable shopping cart window object includes at least one of a reset button, a checkout button, and a delete button. (Col 6, lines 17-42)



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Claim 20: Spiegel discloses a method for providing a dynamic shopping cart window within a windows-based content manifestation environment provided within a Web browser, comprising:

- a. From a server system, transmitting a software system and data related to a shopping list from a shopping list content source via an electronic data network.  
(Col 6, line 59 through Col 7, line 31)
- b. At a Web browser client operating within a data processing system that is coupled to said server system via the electronic data network, receiving said software system. (Col 6, line 59 through Col 7, line 31)
- c. Processing said software system and said data to produce a controllable shopping cart window object within a content manifestation environment provided by said Web browser. (Col 6, line 59 through Col 7, line 31)
- d. Dynamically manifesting said shopping list within said controllable shopping cart. window object in accordance with said data. (Col 6, line 59 through Col 7, line 31)

Claim 21: Spiegel discloses the method according to claim 20, wherein said software system includes instructions related to the size and placement of said shopping cart window object within said content manifestation environment. (Col 1, lines 54-67)

Claim 22: Spiegel discloses the method according to claim 20, wherein said electronic data network is an Internet. (Col 1, lines 11-31 and Col 4, lines 3-28)

Claim 23: Spiegel discloses the method according to claim 20, wherein the shopping list includes at least one of an item and a price. (Col 4, line 58 through Col 5, line 6)

Claim 24: Spiegel discloses the method according to claim 20, further including updating the controllable shopping cart window object according to changes in the shopping list. (Col 16, lines 17-42)

Claim 26: Spiegel discloses the method according to claim 20, wherein the controllable shopping cart window object includes at least one of a reset button, a checkout button, and a delete button. (Col 6, lines 17-42)

Claim 27: Spiegel discloses a system for providing a dynamic television window within a windows-based content manifestation environment provided within a Web browser, comprising:

- a. A server system configured to transmit a software system and data related to an audio-visual program from an audio-visual program content source via an electronic data network. (Col 6, line 59 through Col 7, line 31)
- b. A Web browser client operating within a data processing system that is coupled to said server system via the electronic data network and having a content manifestation environment, said Web browser client operative to receive said software system and said data via said server system, to process said software

system and said data to produce a moveable television window object within said content manifestation environment of said Web browser client, said moveable television window object configured to dynamically manifest therein the audio-visual program received from the audio-visual program content source in accordance with said data. (Col 6, line 59 through Col 7, line 31)

Claim 28: Spiegel discloses the system according to claim 27, wherein said software system includes instructions related to the size and placement of said television window object within said content manifestation environment. (Col 1, lines 54-67)

Claim 29: Spiegel discloses the system according to claim 27, wherein said electronic data network is an Internet. (Col 1, lines 11-31 and Col 4, lines 3-28)

Claim 32: Spiegel discloses a method for providing a dynamic television window within a windows-based content manifestation environment provided within a Web browser, comprising:

- a. From a server system, transmitting a software system and data related to an audiovisual program from an audio-visual program content source via an electronic data network. (Col 6, line 59 through Col 7, line 31)
- b. At a Web browser client operating within a data processing system that is coupled to said server system via the electronic data network, receiving said software system. (Col 1, lines 54-67)

- c. Processing said software system and said data to produce a moveable television window object within a content manifestation environment provided by said Web browser. (Col 6, line 59 through Col 7, line 31)
- d. Dynamically manifesting said audio-visual program within said moveable television window object in accordance with said data. (Col 6, line 59 through Col 7, line 31)

Claim 33: Spiegel discloses the method according to claim 32, wherein said software system includes instructions related to the size and placement of said television window object within said content manifestation environment. (Col 1, lines 54-67)

Claim 34: Spiegel discloses the method according to claim 32, wherein said electronic data network is an Internet. (Col 1, lines 11-31 and Col 4, lines 3-28)

Claim 37: Spiegel discloses a system for providing a dynamic television window within a windows-based content manifestation environment provided within a Web browser, comprising:

- a. A server system configured to transmit a software system and data related to an audio-visual program from an audio-visual program content source via an electronic data network. (Col 6, line 59 through Col 7, line 31)
- b. A Web browser client operating within a data processing system that is coupled to said server system via the electronic data network and having a content

manifestation environment, said Web browser client operative to receive said software system and said data via said server system, to process said software system and said data to produce a controllable television window object within said content manifestation environment of said Web browser client, said controllable television window object configured to dynamically manifest therein the audio-visual program received from the audio-visual program content source in accordance with said data. (Col 6, line 59 through Col 7, line 31)

Claim 38: Spiegel discloses the system according to claim 37, wherein said software system includes instructions related to the size and placement of said television window object within said content manifestation environment. (Col 1, lines 54-67)

Claim 39: Spiegel discloses the system according to claim 37, wherein said electronic data network is an Internet. (Col 1, lines 11-31 and Col 4, lines 3-28)

Claim 43: Spiegel discloses a method for providing a dynamic television window within a windows-based content manifestation environment provided within a Web browser, comprising:

- a. From a server system, transmitting a software system and data related to an audiovisual program from an audio-visual program content source via an electronic data network. (Col 6, line 59 through Col 7, line 31)

- b. At a Web browser client operating within a data processing system that is coupled to said server system via the electronic data network, receiving said software system. (Col 6, line 59 through Col 7, line 31)
- c. Processing said software system and said data to produce a controllable television window object within a content manifestation environment provided by said Web browser. (Col 6, line 59 through Col 7, line 31)
- d. Dynamically manifesting said audio-visual program within said controllable television window object in accordance with said data. (Col 6, line 59 through Col 7, line 31)

Claim 44: Spiegel discloses the method according to claim 43, wherein said software system includes instructions related to the size and placement of said television window object within said content manifestation environment. (Col 1, lines 54-67)

Claim 45: Spiegel discloses the method according to claim 43, wherein said electronic data network is an Internet. (Col 1, lines 11-31 and Col 4, lines 3-28)

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 18, 25, 30, 31, 35, 36, 40-42, and 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spiegel et al. (U.S. Patent Number: 6,629,079) in view of Hall, Marty ("Core Web Programming", 1998).

Claim 18: Spiegel discloses the system according to claim 13, but is silent with regard to the ability to move, resize, maximize, or minimize the controllable shopping cart window object. However, in analogous art, Hall, Marty teaches the use of frames in a web browser. These frames are, by default, resizable (Chapter 4, page 112, lines 21-23). It would have been obvious to one having ordinary skill in the art at the time of the invention to utilize frames and their default values to create a controllable shopping cart window object that is adapted to perform at least one of moving, resizing, maximizing, and minimizing within said content manifestation environment. The motivation for doing this would be to guarantee that certain parts of the interface (i.e. The current contents of the shopping cart) are always on the screen and to provide user's with the ability to modify the frame's size to enhance their viewing session.

Claim 25: Spiegel discloses the method according to claim 20, but is silent with regard to the ability to move, resize, maximize, or minimize the controllable shopping cart window object. However, in analogous art, Hall, Marty teaches the use of frames in a web browser. These frames are, by default, resizable (Chapter 4,

page 112, lines 21-23). It would have been obvious to one having ordinary skill in the art at the time of the invention to utilize frames and their default values to create a controllable shopping cart window object that is adapted to perform at least one of moving, resizing, maximizing, and minimizing within said content manifestation environment. The motivation for doing this would be to guarantee that certain parts of the interface (i.e. The current contents of the shopping cart) are always on the screen and to provide user's with the ability to modify the frame's size to enhance their viewing session.

Claim 41: Spiegel discloses the system according to claim 37, but is silent with regard to the ability to move, resize, maximize, or minimize the controllable shopping cart window object. However, in analogous art, Hall, Marty teaches the use of frames in a web browser. These frames are, by default, resizable (Chapter 4, page 112, lines 21-23). It would have been obvious to one having ordinary skill in the art at the time of the invention to utilize frames and their default values to create a controllable shopping cart window object that is adapted to perform at least one of moving, resizing, maximizing, and minimizing within said content manifestation environment. The motivation for doing this would be to guarantee that certain parts of the interface (i.e. The current contents of the shopping cart) are always on the screen and to provide user's with the ability to modify the frame's size to enhance their viewing session.



Claim 47: Spiegel discloses the method according to claim 43, but is silent with regard to the ability to move, resize, maximize, or minimize the controllable shopping cart window object. However, in analogous art, Hall, Marty teaches the use of frames in a web browser. These frames are, by default, resizable (Chapter 4, page 112, lines 21-23). It would have been obvious to one having ordinary skill in the art at the time of the invention to utilize frames and their default values to create a controllable shopping cart window object that is adapted to perform at least one of moving, resizing, maximizing, and minimizing within said content manifestation environment. The motivation for doing this would be to guarantee that certain parts of the interface (i.e. The current contents of the shopping cart) are always on the screen and to provide user's with the ability to modify the frame's size to enhance their viewing session.

Claim 30: Spiegel discloses the system according to claim 27 and that it is operable on a television-based system (Col 7 lines 14-31), but is silent with respect to the contents of the audio-visual program. However, in analogous art, Hall, Marty teaches that HTML allows full-motion video data and audio data to be incorporated with the use of the EMBED SRC tag (Chapter 3, page 95, line 19 through page 96, line 10). It would have been obvious to one having ordinary skill in the art at the time the invention was made to include audio and video content in an electronic shopping environment. The motivation for including such content would be to provide a pleasing and enticing presentation of possible product purchases and thereby

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enhance both the shopping experience of the customer as well as the sales volume of the web site.

Claim 35: Spiegel discloses the system according to claim 32 and that it is operable on a television-based system (Col 7 lines 14-31), but is silent with respect to the contents of the audio-visual program. However, in analogous art, Hall, Marty teaches that HTML allows full-motion video data and audio data to be incorporated with the use of the EMBED SRC tag (Chapter 3, page 95, line 19 through page 96, line 10). It would have been obvious to one having ordinary skill in the art at the time the invention was made to include audio and video content in an electronic shopping environment. The motivation for including such content would be to provide a pleasing and enticing presentation of possible product purchases and thereby enhance both the shopping experience of the customer as well as the sales volume of the web site.

Claim 40: Spiegel discloses the system according to claim 37 and that it is operable on a television-based system (Col 7 lines 14-31), but is silent with respect to the contents of the audio-visual program. However, in analogous art, Hall, Marty teaches that HTML allows full-motion video data and audio data to be incorporated with the use of the EMBED SRC tag (Chapter 3, page 95, line 19 through page 96, line 10). It would have been obvious to one having ordinary skill in the art at the time the invention was made to include audio and video content in an electronic shopping

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environment. The motivation for including such content would be to provide a pleasing and enticing presentation of possible product purchases and thereby enhance both the shopping experience of the customer as well as the sales volume of the web site.

Claim 46: Spiegel discloses the system according to claim 43 and that it is operable on a television-based system (Col 7 lines 14-31), but is silent with respect to the contents of the audio-visual program. However, in analogous art, Hall, Marty teaches that HTML allows full-motion video data and audio data to be incorporated with the use of the EMBED SRC tag (Chapter 3, page 95, line 19 through page 96, line 10). It would have been obvious to one having ordinary skill in the art at the time the invention was made to include audio and video content in an electronic shopping environment. The motivation for including such content would be to provide a pleasing and enticing presentation of possible product purchases and thereby enhance both the shopping experience of the customer as well as the sales volume of the web site.

Claim 31: Spiegel discloses the system according to claim 27, but is silent with regard to the specific features contained in the moveable television window object. However, in analogous art, Hall, Marty teaches that both Netscape and Internet Explorer have standard plug ins that support the playing of video clips (Chapter 3, page 95, line 19 through page 96, line 10). It would have been obvious to one

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having ordinary skill in the art at the time the invention was made to leave the default value for the CONTROLS parameter in place and thus display the standard control buttons (i.e. volume control, a pause button, a play button, and a stop button). One would have been motivated to do this in order to provide users with control over their viewing session.

Claim 36: Spiegel discloses the system according to claim 32, but is silent with regard to the specific features contained in the moveable television window object. However, in analogous art, Hall, Marty teaches that both Netscape and Internet Explorer have standard plug ins that support the playing of video clips (Chapter 3, page 95, line 19 through page 96, line 10). It would have been obvious to one having ordinary skill in the art at the time the invention was made to leave the default value for the CONTROLS parameter in place and thus display the standard control buttons (i.e. volume control, a pause button, a play button, and a stop button). One would have been motivated to do this in order to provide users with control over their viewing session.

Claim 42: Spiegel discloses the system according to claim 37, but is silent with regard to the specific features contained in the moveable television window object. However, in analogous art, Hall, Marty teaches that both Netscape and Internet Explorer have standard plug ins that support the playing of video clips (Chapter 3, page 95, line 19 through page 96, line 10). It would have been obvious to one

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having ordinary skill in the art at the time the invention was made to leave the default value for the CONTROLS parameter in place and thus display the standard control buttons (i.e. volume control, a pause button, a play button, and a stop button). One would have been motivated to do this in order to provide users with control over their viewing session.

Claim 48: Spiegel discloses the system according to claim 43, but is silent with regard to the specific features contained in the moveable television window object. However, in analogous art, Hall, Marty teaches that both Netscape and Internet Explorer have standard plug ins that support the playing of video clips (Chapter 3, page 95, line 19 through page 96, line 10). It would have been obvious to one having ordinary skill in the art at the time the invention was made to leave the default value for the CONTROLS parameter in place and thus display the standard control buttons (i.e. volume control, a pause button, a play button, and a stop button). One would have been motivated to do this in order to provide users with control over their viewing session.

### ***Response to Arguments***

7. Applicant's arguments filed December 15, 2006 have been fully considered but they are not persuasive. The applicant argues that Spiegel does not teach or suggest dynamic manifestation performed by the web browser client. The applicant contends that the dynamic manifestation taught by Spiegel is performed by the

server and not the web browser client. However, Spiegel discloses the processing of information at the server and then sending context data to the web client. The web client is then responsible for displaying the data. In order to generate a display of the data in the manner directed by the context, the client must process and interpret the information that has been transmitted. The actual creation and display of the dynamic information, or dynamically manifest the data, is performed by the client as disclosed in Col 8, lines 24-40. The referenced section of Spiegel discloses that HTML is utilized to create a display in the client browser. In order to clarify the examiners position, the following example is provided: When a server transmits HTML data the data includes both tags and information. An example of such tags are the frame indicators, <frame> (begin frame) and </frame> (end frame). The frame indicators directs the web client to create a separate window and display the data between the <frame> and </frame> in a separate window. The client is responsible for interpreting these tags and displaying the data as per the formatting requested by the server. As such, the interaction described in Col 8, lines 24-40 discloses the web client dynamically manifesting the information. While the data was sent from the server, the web browser client performs the actual manifesting.

### **Conclusion**

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Van Bramer whose telephone number is

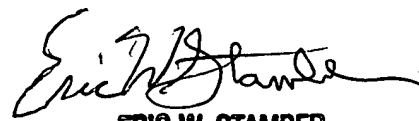
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(571) 272-8198. The examiner can normally be reached on 6am - 4pm Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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jvb

  
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